

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABBOTT LABORATORIES and ABBOTT
DIABETES CARE, INC.,

Plaintiffs,

v.

AGAMATRIX, INC.,

Defendant.

Case No. C 06 07268 (JF)

**[PROPOSED] ORDER GRANTING
DEFENDANT AGAMATRIX INC.'S
MOTION FOR ADMINISTRATIVE
RELIEF TO APPEAR TELEPHONICALLY
AT THE CASE MANAGEMENT
CONFERENCE**

Pursuant to Civil Local Rule 16-10(a), Defendant has submitted a request to permit its lead trial counsel to participate in the Court's Case Management Conference by telephone.

IT IS HEREBY ORDERED THAT Defendant's request shall be, and is hereby, GRANTED. Accordingly, Defendant's lead trial counsel, J. Anthony Downs, is permitted to participate in the Case Management Conference by telephone.

DATED: October 17, 2007



Hon. Jeremy Fogel
United States Magistrate Judge

Proof of Service

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**

2. My business address is 101 California Street, Suite 1850, San Francisco, CA 94111.

3. I served copies of the following documents: **[PROPOSED] ORDER GRANTING DEFENDANT AGAMATRIX INC.'S MOTION FOR ADMINISTRATIVE RELIEF TO APPEAR TELEPHONICALLY AT THE CASE MANAGEMENT CONFERENCE**

4. I served the documents listed above in item 3 on the following persons at the addresses listed::

(SEE ATTACHED SERVICE LIST)

5. a. ☐ **By personal service.** I personally delivered the documents on the date shown below to the persons at the addresses listed above in item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party delivery was made to the party or by leaving the documents at the party's residence between the hours of eight in the morning and six in the evening with some person not less than 18 years of age.

b. ☐ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 4 and (*specify one*):


(1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid on the date shown below, or

(2) ☒ placed the envelope for collection and mailing on the date shown below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Francisco, California.

c. ☐ **By overnight delivery.** I enclosed the documents on the date shown below in an envelope or package provided by an overnight delivery carrier and addressed to the person at the addresses in item 4. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

PROOF OF SERVICE

d. <input type="checkbox"/>	By messenger service. I served the documents on the date shown below by placing them in an envelope or package addressed to the person on the addresses listed in item 4 and providing them to a professional messenger service for service.	
e. <input type="checkbox"/>	By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents on the date shown below to the fax numbers of the persons listed in item 4. No error was reported by the fax machine that I used. A copy of the fax transmission, which I printed out, is attached.	
f. <input checked="" type="checkbox"/>	By e-mail or electronic transmission. Based on an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent on the date shown below to the e-mail addresses of the persons listed in item 4. I did not receive within a reasonable time after the transmission any electronic message or other indication that the transmission was unsuccessful.	
6. I served the documents by the means described in item 5 on: October 3, 2007		
I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.		
10/3/07	Leon Thomas, Jr.	
DATE	(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)

PROOF OF SERVICE

SERVICE LIST

Abbott Laboratories, et al. v. Agamatrix, Inc., et al.

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